

REMARKS

The Examiner is thanked for the courtesy of the personal interview conducted on 1 June 2005.

Claims 1-11 are pending and claims 12-15 have been cancelled subject to the filing of a divisional application. Claim 1 has been amended. Support for this amendment is found in the Specification, paragraph [0034], as well as in Fig. 7.

In the Office Action, the Examiner rejected pending claims 1-11 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,595,966 to Davey et al. ("Davey"). Applicants respectfully traverse this rejection as it pertains to amended claim 1.

In order to anticipate a claim under 35 U.S.C. §102, the reference must teach every element of the claim. M.P.E.P. §2131. Furthermore, "the identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) and M.P.E.P. §2131.

Applicants respectfully submit that Davey fails to disclose or suggest all of the features of claim 1 and that the present rejection is improper. Davey fails to disclose or suggest the incorporation of a guide wire or the manner of the incorporation of the guide wire into the catheter as claimed in amended claim 1.

Applicants therefore respectfully request reconsideration and allowance of claim 1. Claims 2-11 all depend, either directly or indirectly, from claim 1, and Applicants respectfully submit that claims 2-11 are all allowable over Davey for the reasons as set forth above with respect to claim 1.

In the Office Action, the Examiner also rejected claims 1-11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,405,341 to Martin ("Martin"). Applicants respectfully traverse this rejection as it pertains to amended claim 1.

In Fig. 5, Martin discloses a guide wire 54 inserted into the return opening 46 and out the guide wire side opening 52. The guide wire 54 is then inserted into the intake opening 44 and through the

lumen 28. Martin fails to disclose or suggest the insertion of the guide wire into a second lumen through a guide wire opening located proximally of the intake opening 44, as is claimed in amended claim 1.

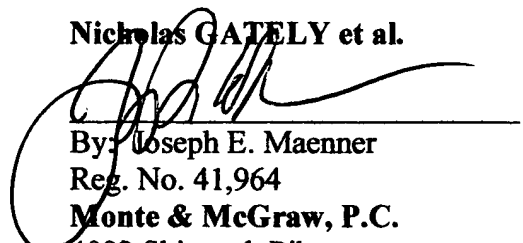
Applicants therefore respectfully request reconsideration and allowance of claim 1. Claims 2-11 all depend, either directly or indirectly, from claim 1, and Applicants respectfully submit that claims 2-11 are all allowable over Martin for the reasons as set forth above with respect to claim 1.

CONCLUSION

In view of the foregoing, Applicants respectfully submit that claims 1-11 are in condition for allowance. Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. If there are any other fees due in connection with the filing of this response, please do not hesitate to contact the undersigned.

Respectfully Submitted,

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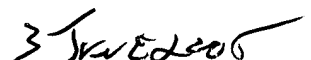
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